

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

THE ROMAN CATHOLIC DIOCESE OF
PITTSBURGH and TRANSFIGURATION
PARISH,

Plaintiffs,

v.

GENERAL MOTORS, CHEVROLET DIVISION
OF GENERAL MOTORS, NORTHERN
ALLEGHENY STONE, INC., JOSEPH
GIZENSKI, DOUGLAS BATTERY
MANUFACTURING COMPANY, DLK AUTO
PARTS, CARO BROTHERS, INC., GLOBE
AUTO PARTS, INC., JOHN PENKE, DINO
ONESI and/or PAULETTE ONESI, JAMES
ALFER and/or CATHERINE ALFER, and
ALFER DISTRIBUTING, INC.

: CIVIL DIVISION
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: NO. GD 08-011870
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**GENERAL MOTORS CORPORATION'S RESPONSES TO DEFENDANTS
GLOBE AUTO PARTS, INC.'S AND JOHN PENKE'S FIRST SET OF INTERROGATORIES
AND REQUESTS FOR PRODUCTION OF DOCUMENTS**

GENERAL OBJECTIONS

1. General Motors has not completed its investigation and discovery of all matters that may be within the scope of Defendants Globe Auto Parts, Inc.'s ("Globe") and John Penke's ("Penke") Interrogatories and Request for Production of Documents to Defendant (collectively "Requests"). The responses to the following Requests are made to the best of General Motors' present knowledge, are based upon information currently known to General Motors and are given without prejudice to its rights to change, supplement and/or clarify its responses, if necessary.

2. By making these responses, General Motors does not suggest the existence of a product defect or failure, or that any other event is substantially similar to the one at issue in this case. Nor does General Motors admit or imply that the information is relevant or reasonably calculated to

RESPONSE: General Motors states that it will search for and, if found, produce the photographs, video recording, and 1241 report referred to in response to Request number 12.

18. Please state the names and addresses of any other witnesses Defendant is aware of other than those stated in the Answers to the preceding Interrogatories.

RESPONSE: General Motors states that its investigation into this matter is still ongoing. General Motors will supplement its response in accordance with the Pennsylvania Rules of Civil Procedure and the orders of the Court.

19. Following the accident which serves as the basis for the instant lawsuit, did you report the accident to any individual or entity and, if so, please state:

- (a) The name and address of the individual or entity that you reported the incident to;
- (b) The date or dates of any such report; and
- (c) Produce all documentation evidencing the report at the time and place previously indicated in the instructions.

RESPONSE: General Motors states that its investigation into this matter is still ongoing. General Motors will supplement its response in accordance with the Pennsylvania Rules of Civil Procedure and the orders of the Court.

20. Were you an insured under any policy of insurance providing coverage for claims asserted by Plaintiff in their Complaint?

RESPONSE: General Motors is directly responsible for satisfying any judgment entered in this case, following post-trial or appellate rulings (if any), up to \$35 million, including legal defense expenses. The amount by which a judgment (including legal defense expenses) exceeds \$35 million is covered by excess insurance provided by a number of carriers. Accordingly, General Motors objects to this Interrogatory because it is overly broad and requests information that is not calculated to lead to the discovery of admissible evidence.

21. If the answer to the preceding Interrogatory is in the affirmative, please state:

- (a) The name and address of the insurance company;

RESPONSE: General Motors refers Globe and Penke to its response to Request number 8.

28. State for each person identified in Interrogatory #22 whether he or she ever testified to the contrary to any opinion stated in their expert report.

RESPONSE: General Motors refers Globe and Penke to its response to Request number 8.

LAVIN, O'NEIL, RICCI, CEDRONE & DISIPIO

DATE: 9/25/08

BY: 

FRANCIS J. GREY, JR., ESQUIRE

MONICA V. PENNISI MARSICO, ESQUIRE

Attorneys for defendant,

*General Motors Corporation (improperly identified as
"General Motors and Chevrolet Division of General
Motors")*